



JON M. HUNTSMAN, JR.  
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# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Water Rights

JERRY D. OLDS  
State Engineer/Division Director

September 11, 2007

#### TO THE MILL CREEK DISTRIBUTION SYSTEM COMMITTEE

We are in the process of adopting new administrative rules that provide a foundation for the regulation and operation of state engineer administered distribution systems and the appointment and service of water commissioners.

One of the new rules limits a commissioner's service to age 75 or less. In view of this requirement, it will be necessary to relieve Bob Byrnes of his responsibilities at the end of this year and to find someone to take his place as water commissioner.

This move is no reflection on the work that Bob has done. We greatly appreciate the service that Bob has given to the state of Utah and to the water users in his work as Mill Creek Water Commissioner.

It would be best to have someone chosen to fill the position prior to the 2008 annual meeting, therefore, we would like to meet with you to discuss the qualifications for the position and the selection process that needs to be followed.

**We have scheduled a meeting for this purpose at 9:00 a.m. on Tuesday September 25, 2007**

**The meeting will be held at:**                      **Grand Water & Sewer Service Agency**  
   **Conference Room**  
   **3025 East Spanish Trail Rd.**  
   **Moab, UT 84532**

Enclosed please find an outline of the minimum qualifications for the position and also an outline of the selection process, both of which were taken from the administrative rule. We would like to discuss these items with you at the meeting and get your input on any additions or refinements that need to be made.

We hope that your schedule will allow you to attend the meeting, as this is a very important issue that will have direct consequences regarding the operation of the distribution system in the future. If you have any questions prior to the meeting, please contact me by phone at (801) 538-7380 or by e-mail at [LeeSim@utah.gov](mailto:LeeSim@utah.gov).

Sincerely,

Lee H. Sim, P.E.  
Assistant State Engineer  
Field Services

Cc: Marc Stilson, Regional Engineer  
Bob Byrnes, Water Commissioner



**Administrative Rules For Distribution Systems And Water Commissioners**  
**The Selection And Appointment Process For Water Commissioners**

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Public notice of the Commissioner position shall be advertised in a local newspaper.

Description of the qualifications, duties, and compensation

Published in a manner and for a duration determined by the State Engineer as reasonable and sufficient.

Application shall be made in writing to the Committee Chair.

The application must include a summary of the applicant's qualifications and experience.

The interview panel shall consist of the Committee and the State Engineer.

The Committee shall recommend the candidate to the water users at the annual meeting.

If a majority of the water users approve, the candidate shall be recommended to the State Engineer.

The State Engineer shall appoint the recommended candidate as Commissioner if the minimum qualifications for the position are met.

## Water Commissioner Qualifications

### Mill Creek Distribution System

- a. Education and Experience: Commensurate with the level of complexity and difficulty involved in regulating the distribution system.
- b. Have demonstrated knowledge of:
  - i. Irrigation practices and technologies.
  - ii. The local area and the water users involved in the Distribution System.
  - iii. The use and maintenance of water control and measurement equipment and devices.
  - iv. Water measurement units, calculations and conversions.
  - v. Maps, standard land description terminology, units of measure and conversions.
- c. Have a demonstrated ability to:
  - i. Work cooperatively with people to find appropriate solutions to challenges and /or resolve disputes.
  - ii. Communicate effectively verbally and in writing.
- d. Have the ability and willingness to learn:
  - i. Principles and terminology of Utah water rights law.
  - ii. Technology necessary for the effective regulation, distribution, measurement and reporting of water use in the Distribution System.
- e. Possess a valid Utah Drivers license.
- f. Be physically able to walk over uneven surfaces and rough terrain
- g. Be available at all times necessary throughout the distribution season to fulfill the duties of Water Commissioner.
- h. Be less than 75 years of age.
- i. Have no overarching conflict of interest that would interfere with the distribution water according to water rights.

Mailed 9/11/07 *jm*

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*& Marc Stilson*